



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78199

Uwe SCHELLHORN

Appln. No.: 10/697,239

Group Art Unit: 2877

Confirmation No.: 9029

Examiner: Michael A. LYONS

Filed: October 31, 2003

For: PHASE SHIFTING WAVEFRONT INTERFERENCE METHOD

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on
January 17, 2006:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was attached with the Office
Action dated January 24, 2006.

During the interview, Applicant requested the Examiner to withdraw the Office Action of
November 30, 2005, which closed prosecution in accordance with the practice under *Ex parte*
Quayle, and to reopen prosecution for the present application.

1. Brief description of exhibits or demonstration: none
2. Identification of claims discussed: claims 1-4
3. Identification of art discussed: none
4. Brief Identification of principal arguments: the objections presented in the *Quayle*
Action of November 30, 2005, alleged that claims 1-3 "are generally narrative and indefinite...."
In order to afford the Applicant maximum leeway in addressing and resolving the issues raised

Statement of Substance of Interview
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by the Examiner and not be cut off prematurely from prosecution, Applicant's representative requested the Examiner to withdraw the *Quayle* Action, reopen prosecution, and issue a new, non-final Office Action. As argued by the Applicant's representative, the nature of the objections to claims 1-3 presented in the *Quayle* Action goes beyond "matters of form, such as correction of the specification, a new oath, etc.," which ordinarily prompt a *Quayle* Action. See MPEP § 710.02(b).

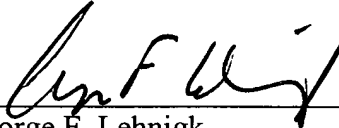
5. Indication of other pertinent matters discussed: none

6. Results of Interview: the Examiner agreed to withdraw the *Quayle* Action, reopen prosecution, and issue a new, non-final Office Action.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

GFL/plr
Date: **May 24, 2006**